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September 21, 2023

VIA E-FILING

The Honorable Katherine Polk Failla
United States District Judge
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

MEMO ENDORSED

Re: *Hernandez v. Body Complete Rx, LLC*; Case No. 1:23-cv-00118 (KPF)(SLC)

Dear Judge Failla:

Please be advised that this office represents plaintiff Daysi Hernandez (“Plaintiff”) in the above-referenced matter. The Clerk of this Court certified on September 12, 2023 that defendant Body Complete Rx, LLC (“Defendant”) is in default due to not filing an answer or otherwise moving with respect to the complaint herein. Doc. #(s) 36.

On August 9, 2023, this Court ordered an Initial Pretrial Conference for September 28, 2023. Doc. #(s) 32. Plaintiff respectfully requests that this Court adjourn the September 28 Conference to permit Plaintiff time either to settle the matter with Defendant or to prepare and file default judgment documents.

Respectfully submitted,
/s/ Patrick W. Gallagher
PATRICK W. GALLAGHER

cc: All Counsel of Record (via ECF)

Application GRANTED. The initial pretrial conference currently scheduled for September 28, 2023, is hereby ADJOURNED *sine die*. If the parties are unable to reach a settlement, Plaintiff is to either move for default judgment or file a status letter on or before **October 22, 2023**.

The Clerk of Court is directed to terminate the pending motion at docket number 37.

SO ORDERED.

Dated: September 21, 2023
New York, New York

A handwritten signature in blue ink that reads 'Katherine Polk Failla'.

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE